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WILLIAM T. WALSH, CLERK

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ASCENT MEDIA GROUP, LLC

Plaintiff,

v.

WARREN ONLY, WARREN ONLY MEDIA
GROUP, and SCS TELEMEDIA COMLINK,
and John Does 1-10 and XYZ Corporations 1-10,

Defendants.

HON. FAITH S. HOCHBERG, U.S.D.J.
HON. PATTY SHWARTZ, U.S.M.J.

Civil Action No: 06-cv-2374 (FSH – PS)

**RECOMMENDATION TO
ORDER GRANTING PLAINTIFF'S
REQUEST FOR A
PRELIMINARY INJUNCTION**

THIS MATTER, having been opened to the Court by Ascent Media Group, LLC ("Ascent Media") through its attorneys, Akin Gump Strauss Hauer & Feld LLP and McCusker, Anselmi, Rosen, Carvelli & Walsh, a Professional Corporation, attorneys for Plaintiff Ascent Media Group, LLC ("Ascent Media" or "Plaintiff") (Andrew Anselmi, Esq. and Michael Fitzpatrick, Esq., appearing), by way of Verified Complaint and Order to Show Cause seeking, *inter alia*, the entry of a preliminary injunction, and the Court having set the return date of the Order to Show Cause for June 12, 2006, and defendants Warren Only, Warren Only Media Group, and SCS Telemedia Comlink (collectively, the "Defendants") appearing and opposing said application for injunctive relief, and the Court ^{considered the submissions and} ~~hearing~~ ^{the parties} ~~counsel~~ arguments of ~~counsel~~ on June 12, 2006, and the Court having found good cause for the entry of a preliminary injunction as further set forth on the record on June 12, 2006;

IT IS on this ^{12th} day of June, 2006,

RECOMMENDED
ORDERED that during the pendency of this action and until further Order of this Court, defendants Warren Only, Warren Only Media Group and SCS Telemedia Comlink, together with any affiliates, agents, servants and employees and all those in privity, concert or participation with any of them are hereby enjoined and restrained, and must cease and desist immediately from:

- (a) using, reproducing, distributing or offering to reproduce or distribute Ascent Media's Antenna Profiles and/or any portion thereof;
- (b) posting on Defendants' website the Antenna Profiles and/or any portion thereof;
- (c) preparing any derivative works based on the Antenna Profiles;

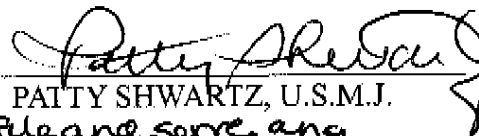
(d) representing to the consuming public that Defendants are affiliated with Ascent Media and its ~~prominent~~ clients;

(e) instructing any other individual to engage in any of the above-described acts in subparagraphs (a) through (d);

(f) aiding and abetting or otherwise assisting in any of the above-described acts in subparagraphs (a) through (d).

IT IS FURTHER RECOMMENDED that Defendants modify the portions of his website attached as Exhibits F, G, H to the Verified Complaint to ensure relief as this Court deems equitable and just. ~~AND IT IS FURTHER ORDERED~~ that the Court is to award Ascent Media such other relief as this Court deems equitable and just. ~~AND IT IS FURTHER ORDERED~~ that a copy of this Order shall be circulated within 3 days hereof. ~~AND IT IS FURTHER ORDERED~~ that the Plaintiff be required to post a \$5000 bond if an injunction is granted.

RECOMMENDED
SO ORDERED.


PATTY SHWARTZ, U.S.M.J.

The parties have ten days to file and serve any written objections to the Report and Recommendation set forth in the record and embodied herein.

PAPERS CONSIDERED

Application for Order to Show Cause	_____
Brief in Support Thereof	_____
Verified Complaint	_____
Supporting Affidavits	_____
Notice of Motion	_____
Movants' Affidavits	_____
Movants' Brief	_____
Answering Affidavits	_____
Answering Brief	_____
Cross-Motion	_____
Movants' Reply	_____
Other	_____